

UGANDA:
NOT A LEVEL PLAYING FIELD
Government Violations in the Lead-Up to the Election

I'm not ready to hand over power to people or groups of people who have no ability to manage a nation Why should I sentence Ugandans to suicide by handing over power to people we fought and defeated? It's dangerous despite the fact that the constitution allows them to run against me.... At times the constitution may not be the best tool to direct us politically for it allows wrong and doubtful people to contest for power.

President Yoweri Museveni, addressing a rally in western Uganda.
East African, February 12, 2001

I. Summary

There are serious human rights concerns in the lead-up to Uganda's March 12, 2001 presidential elections that shed doubt on whether the election will be free and fair. Not only is President Yoweri Museveni relying on a biased legal framework, but he is also using the state machinery to obstruct a transparent and fair electoral process. In addition to its financial and structural advantage, arbitrary arrests, attacks, and intimidation have been directed against the political opposition and its supporters, and campaign agents.

Since the start of the electoral campaign on January 11, reported cases of violence and arbitrary arrests implicate army soldiers, military intelligence officers, the police, and the Presidential Protection Unit (PPU), as well as local defense units that are trained and armed by the government. Members of the local administration are also involved in harassment and intimidation of the opposition and its supporters. Some of the districts where harassment has been most severe are Kabale, Kampala, Masaka, Mbale, Mbarara, and Rukungiri.¹

Some one hundred cases of election-related infractions that are alleged to have been committed by state agents or private individuals have been reported.² Unfortunately, police investigations are not known to have yielded any results. The government reportedly has not taken steps to investigate or stop the violence and harassment suffered by the opposition, while selectively investigating reports of electoral violence and irregularities attributed to the opposition. Breaches of law such as pulling down posters or using inflammatory language lead to arrests when committed by the opposition. However, similar incidents committed by Museveni supporters as well as more serious incidents of arbitrary arrests and beatings by the security force branches are neither investigated nor prosecuted by the government.

Additionally, in the lead-up to the election, harassment of journalists and news editors, and inequality in media access has intensified. The electoral process has also been marked by irregularities in the registration of voters and the voter register, concerns over the tendering process for the ballot papers as well as a failure on the part of the Electoral Commission to act on these irregularities.³

Five candidates are competing against President Museveni for the presidency:

- Kizza Besigye, a medical doctor and recently retired army colonel;
- Aggrey Awori, member of parliament for Samia Bugwe North;
- Francis Bwengye, the former secretary general of the Democratic Party (DP);
- Muhammad Kibirige Mayanja, president of Justice Forum (JEMA); and
- Chapaa K. Karuhanga, the president of National Democratic Forum (NDF).

Of the six competing candidates, President Museveni and Dr. Kizza Besigye are associated with Museveni's "no party" or Movement System which restricts political party activity.⁴ The other four candidates are proponents of a multiparty system. The elections are being held under the "no-party" or "movement" system under which candidates run as individuals. Opinion polls suggest a tight race between President Museveni and Kizza Besigye, the most significant electoral challenge President Museveni has faced since coming to power in 1986.

Since the electoral campaign began in January this year the volatility between the different political camps has steadily intensified. The Electoral Commission, the Ugandan Human Rights Commission, a nongovernmental election monitoring network, and a human rights nongovernmental organization have all expressed their concern at the current hostile and sometimes violent climate.⁵

Supporters of rival candidates have threatened and attacked each other. However, opposition candidates and their supporters have borne the brunt of these attacks, including intimidation, arrests, and other abuses by state security forces. While all the opposition candidates have reported cases of violence, the largest number of incidents are directed towards supporters of Kizza Besigye, who by all accounts has emerged as the strongest challenger to incumbent President Yoweri Museveni.

The government of President Museveni has taken important steps to improve the human rights situation in Uganda. These steps deserve recognition. However, the government has often used the general improvement in respect for human rights to underplay and distract attention from Uganda's flagging record on the rights to freedom of expression, association, and assembly. In the run up to the March elections, the denial of these rights is starkly highlighted.

Human Rights Watch has serious concerns about the lack of a level playing field, the ongoing harassment of the political opposition and the independent media, and the government's disparate response in addressing violations of the law. The impediments put into place by the Museveni government have led to an atmosphere of tension and fear which poses a real obstacle to a free and fair election on March 12.

II. RECOMMENDATIONS

To the Ugandan Government:

- Investigate and prosecute all reports of election-related infractions, whether committed by state agents or supporters of any of the presidential candidates.
- Release immediately and unconditionally all persons arbitrarily detained, and ensure compliance by the security forces with Uganda law and international standards. Urgently communicate to all military intelligence and security forces that intimidation, harassment, or arbitrary arrest will not be tolerated, and that officials who order or condone such actions will be prosecuted and, if convicted, punished in accordance with the gravity of these crimes.

- Apply the electoral regulations and rules equally to all candidates, including President Museveni, his ruling National Resistance Movement (NRM), and the Movement.
- Ensure that all restrictions by central and local government authorities are lifted in order to facilitate unimpeded campaigning in all parts of the country by presidential candidates, and free access to journalists and nongovernmental organizations.
- Respect the freedoms of expression, association, and assembly of the election candidates and their supporters consistent with international human rights standards.
- Repeal or amend legislation curtailing fundamental human rights in Uganda. This should, in particular, include articles 269 and 270 of the constitution as well as other constitutional, statutory, and administrative restrictions on the right to political activity that are inconsistent with international standards.
- Revise electoral laws and regulations to better regulate future elections. In particular, provisions in existing legislation that enable those in power to manipulate the electoral process should be eliminated to ensure that the electoral commission is truly independent and impartial.
- Withdraw the draft "Nongovernmental Organizations (NGO) Registration Amendment, 2000," that would allow for greater government control of nongovernmental organizations.

To the Electoral Commission:

- Ensure a strict division between the functioning of government, the secretariat of the National Movement, and the candidacy of President Museveni.
- Take steps to ensure that all presidential candidates have equal access to the public media.
- Guarantee that the process of production and distribution of ballots is transparent.

To all Presidential Candidates:

- Publicly advocate protection and respect for human rights and promise to hold accountable supporters who commit human rights abuses. All presidential candidates should convey a clear message to their campaign agents and supporters that intimidation and violence against persons and property will not be tolerated by the leadership. Legal advisors of the respective campaign task forces should follow up reports of intimidation and violence carried out by their agents and supporters and cooperate with the police investigations. Refrain from using violent language.

To the International Community:

- Publicly acknowledge and denounce intimidation, violence, and irregularities in the run up to the elections and ensure that accountability for human rights abuses is not sacrificed for economic or diplomatic reasons.
- Publicly pressure the government to improve its record with respect to transparency and accountability for its actions.
- Encourage diplomatic representatives in Uganda to vigorously promote human rights by meeting regularly with all presidential candidates, election monitors, the Electoral Commission, and the Ugandan human rights community.

To the Commonwealth Secretariat:

- Support the efforts of civil society organizations to monitor the elections and to campaign for improved human rights standards.
- Become publicly and seriously engaged in speaking out against the unfair pre-election conditions in a manner consistent with previous practice in Commonwealth countries.

III. THE LEGAL AND INSTITUTIONAL FRAMEWORK

The Movement System

A complex web of legal restrictions has been used to limit the ability of the political opposition to compete on a level playing field. The 1995 constitution allows political parties to exist in name, but outlaws all the activities normally associated with political parties. While there have been some significant and notable improvements in respect for human rights under the Museveni government, the progressive policies pursued by the National Resistance Movement (NRM) fall far short with regard to the political life and the electoral arena. Organized political activity has been outlawed in Uganda since President Yoweri Museveni and his NRM took power in 1986. Numerous political rallies have been halted, some through force. Political activists who have challenged the NRM's hold on power are frequently harassed, and sometimes arbitrarily arrested.

The Museveni government introduced a system known as the "movement" or "no-party" system of government as an alternative to a multiparty system, to which it attributed the past violence and sectarianism of Uganda's political parties. Instead of political parties, which were viewed as divisive, Museveni introduced the idea of a "no-party" system, one supposedly all-inclusive movement in which individual candidates would run for elections based on their personal merit. A pyramid of five levels of councils, from the village to the national level, was designed to ensure grassroots participation at all levels of society. In practice, the "no-party" system has become a one-party system which has allowed the NRM to institutionally entrench itself and its own leaders' predominance, and curtailed political opposition.

The Political Organisations Law

For the past fifteen years, political organizations were constitutionally prohibited from opening and operating branch offices, holding delegates' conferences, and holding political rallies. Parliament passed the Political Organizations Law on February 2, 2001 with a view to relaxing some of the restrictions placed on political parties and their activities, but the president has yet to sign it into law. In any case, the law would fail to grant real freedom to political parties. For example, under the law, political parties would still be unable to organize at grassroots level, allegedly "for fear of confusing the people." They would be barred from using party symbols, slogans, or colours, backing candidates for elective office, holding seminars below district level, opening branch offices, and holding rallies of any kind.

The Presidential Elections Act stipulates under section 22 that all presidential candidates and their agents should receive equal treatment by public officers and institutions, but provides significant privileges to the sitting president. The president, for example, is allowed to utilize government agencies (Section 21(3)) such as the Presidential Protection Unit, the President Press Unit, the State House and State lodges, transport facilities, security detail facilities, personal staff and information and communication facilities in his campaigning. While opposition candidates face the incumbent without organized party support, President Museveni is able to avail himself not only of his NRM party, but also these state resources under terms of this act.

Voter Registration

There have been consistent allegations that the number of registered voters for this election is overly high. Of Uganda's 22 million people, 11.6 million are registered to vote in this presidential elections. This number is the largest of any elections held in Uganda so far, an increase of over 1.6 million new voters. This has led to the complaints of ghost voters. The Uganda Bureau of Statistics (UBS), the government body responsible for coordinating the production of statistics, has said the number of eligible voters cannot be 11.6 million as stated by the Electoral Commission (EC). Over 50 percent of Uganda's population of 21.4 million is under fifteen years of age, and the number of eligible voters is estimated at 8.9 million. In some places, voters have complained that the register lists their names more than once, but with different ages. These allegations have not been investigated by the Electoral Commission. In the 1996 presidential elections, the number of voters was far higher than those in the parliamentary elections held soon after.

The overly large number of new voters for this upcoming is all the more suspect given that these one and a half million voters were registered in an extremely short period of time-only twelve days (between January 11 and 22, 2001). Originally scheduled for ten days, the registration period was extended only two days after election monitoring groups protested the unrealistic time frame.⁶

The allegations of voter inflation are difficult to verify because the voter register has not been updated since the previous election in 1996. At that time, it was acknowledged that the register was inflated, but nothing was done then, or since, to correct these problems for the current election.

In the light of the numerous problems with the voter registration process, the Electoral Commission was encouraged by election monitoring groups to make public the voter rolls (as required by the law) and to investigate the allegations of voter inflation. The Electoral Commission responded that it would address these problems when the voter register was displayed to the public. However, when the time came, it determined that it would only allow a public display of the voters' registers for three days, giving little opportunity to challenge or clean up the register and purge it of ghost voters, forestalling an investigation into the allegations of inflated numbers. They later extended it by a further three days. The actions and inaction of the Electoral Commission in failing to address the problems related to voter registration and other issues call into question its independence and impartiality.⁷

Other problems compound the situation. Voter education is minimal and the level of awareness about the registration and update exercise in the districts was low.⁸ The publicity about house-to-house registration and updates in Kampala was inconsistent and some voters missed registration as a result. Registration centers in some places were too distant for people to register, or serviced too large a population for one person to conduct the registration and update exercise effectively. Some districts lacked the materials.

On a positive note, the Electoral Commission has ruled that soldiers will vote outside the barracks in a transparent manner, thus ending a practice in which soldiers would vote in the military barracks from which election observers were restricted.

IV. ATTACKS ON THE POLITICAL OPPOSITION

In addition to legal structures favoring President Museveni's incumbency, the government is also using unlawful arrests and beatings of opposition politicians and their supporters by the police, the military, and armed civilians to obstruct and intimidate the opposition. Opposition supporters are frequently detained and held briefly without

charge by police or the military before being released. Sometimes they are roughed up and beaten. The intimidation of election campaigners and voters by is an extremely worrying development.

To date, no investigations into these charges are known to have been made by the government, nor has anyone been held responsible for crimes against opposition supporters. While breaches of the law, such as pulling down posters or using inflammatory language lead to immediate arrests when committed by the opposition, such breaches by Museveni supporters, as well as serious incidents of arbitrary arrests, and beatings by the security force branches are neither investigated nor prosecuted by the government. For example, when Besigye campaigner, Democratic Party (DP) member Nasser Sebagala and Ken Lukyamuzi, Conservative Party member, violated the law and made inflammatory statements that threatened foreigners with violence if they voted, the government responded expeditiously as it should have. However, in cases of army-related violations that are equally, if not more serious, the government does not take similar swift action. Some of the more serious incidents include the following:

Arrests

In a widely published incident, Maj. Rabwoni Okwir, the head of Dr. Besigye's youth desk was violently detained without charge at Entebbe Airport on February 20. Military police and armed men made the arrest in civilian clothes after a four-and-a-half-hour stand-off between Okwir's supporters and security agents in the VIP lounge. Okwir was beaten and carried away by soldiers who threw him into the back of a pick-up truck, hit him with rifle butts, and sat on him as they drove away. He sustained injuries to his ribs.

The security personnel said they had strict orders to take Okwir to Chieftaincy of Military Intelligence (CMI) headquarters.⁹ Okwir was taken to CMI, where he was stripped to his trousers and then interrogated by seven military intelligence officers for six hours, among other things about the political opposition's internal dynamics as well as its funding sources. They threatened him, but did not physically abuse him. The following day he was released on condition that he wrote a statement disavowing the opposition.¹⁰ He read a statement to the press at parliament that night saying that he had withdrawn from Dr. Besigye's task force. He said he had not been tortured or in any way intimidated. No questions were allowed at the press conference which only plain-clothed security personnel and a few MPs attended. As he left Mr. Okwir told a journalist from the *Monitor* newspaper that he was feeling ill and was going home to rest. "I am going home, I have pain all over my body."¹¹ Okwir was never charged, although the army subsequently claimed that he was detained in his own interest to protect him from a plot by Dr. Besigye to kill him and blame it on the government.¹² He has since left Uganda for medical treatment

The army also detained Besigye campaigner Hajji Ramathan Kuwonge on February 12. At around 2 a.m., Hajji Ramathan Muwonge, his son, Siraje Wamara, and Kaamu Benjamin, a visitor, were arrested in Makindye by armed men wearing civilian clothes and military boots. Hajji Muwonge is the vice chairman of the Besigye campaign task force in Makindye, Kampala. He is a businessman and his wife is a medical doctor. The assailants were armed with sticks and guns. They broke into the house, found Hajji Muwonge and his wife hiding under the bed, and proceeded to drag them out and beat them. Hajji Muwonge told Human Rights Watch:

"They [the soldiers] start holding me and just beat me too much... There were about twenty people who came to my room... I told them, "What do you want? You want money? You want other things? You want what?" They said, "No... You don't want our candidate Museveni... Today you are going to be killed because you don't want Museveni."¹³

A twenty-three-year-old nurse who was also sleeping in the house also reported being beaten and threatened with rape by the soldiers who attempted to undress her. The three men seized, according to Hajji Muwonge, were taken outside

where the attackers discussed whether they should kill Hajji Muwonge or transport him to the place they had been directed to take him. They were then taken to Mbuya army barracks. Hajji Muwonge was caned the next morning, and Kaamu Benjamin was stripped naked.¹⁴

They were released at 3 p.m. by Chief of Military Intelligence, Lt. Col. Mayombo, who told Human Rights Watch that Muwonge should never have been arrested and said he had initiated a disciplinary inquiry into the actions of the Mbuya barracks soldiers that night. In their defense, the soldiers have claimed that Mr. Muwonge and the two other men were abducted by unknown attackers, and brought to Mbuya barracks as suspects.¹⁵ On March 1, 2001, three soldiers were sentenced to three months in prison after pleading guilty to receiving Mr. Muwonge at Mbuya barracks "without clear instructions from the relevant authorities." The tribunal cited mitigating factors in sentencing them on the grounds that they were new soldiers who were unaware of the procedures.¹⁶

Other Besigye campaigners were arrested in Mukono, outside Kampala, on February 14. After allegedly taking down a Museveni banner in Mukono. Zulaika Manyojo, Florence Mirembe Kitenda, and Godfrey Nsubuga were held for several hours before being released without charge.¹⁷

A number of supporters of opposition candidates have been arrested in other parts of Uganda. On 8 February four campaign agents for presidential candidate Awori were arrested in Lumino about eight miles from Busia town in eastern Uganda. One of the told Human Rights Watch:

"We were putting up our posters when the LC3 [Local Council 3]¹⁸ came and told us to remove the Awori posters. They said we must put up Museveni posters. We refused and they said they will call the police. The police came and arrested us. They kept us for about six hours. They didn't beat us but they put us in a dirty cell. The LC3 and the police told us that they can release us if we give up Awori and join Museveni."¹⁹

The men refused to join the Museveni campaign, but were released when Awori supporters came to press for their release.

During January, three women were arrested in nearby Busia town, apparently because of their support for Aggrey Awori. Their arrest was preceded by a conflict with local authorities who had administered government loans in a micro credit scheme started during 2000, who reportedly told the beneficiaries of the programme that they have to pay the loans back immediately if they continued to support Awori. The women were held at the police station in Busia and were not ill-treated. Other women have made similar complaints to Awori campaigners.²⁰

Another campaign agent for Kizza Besigye was arrested in Gulu district, northern Uganda. On 13 December 2000, a fifty-seven-year old farmer was arrested while holding a meeting in support of Besigye. Before the meeting he had sought the permission of the local authorities:

So I held a meeting attended by many people. We discussed and people elected representatives for the Besigye campaign. Before I wind up my speech I saw a man in plain dress who stood just by the door. He asked me who I am ... then I showed him my agent's appointment letter which bears Dr Besigye's symbols. So he looked at it and then said, "Ok, you are the right people I was looking for. In my area I don't want to hear any other campaign agents apart from Yoweri Museveni's campaigners. Because of these matters I am going to arrest you." I said, if you want to arrest me you can do so but I am behind the law because the law says the consultative meeting can be held in the room. The man was a lieutenant. He called some other

army personnel in uniform and ordered them to arrest me.²¹

The farmer was beaten with rifles on the neck and chest in the presence of other participants of the meeting, and was then taken to the nearby army detachment:

When they took me to the barracks and ordered me to lie down I was caned badly on my buttocks. Then they tied me up with a string with a string, a rope, just on the side of my leg, touching my testicles. After doing that, then they threw me in the cells.

He said he stayed in military detention in the cell for two days and nights and did not get any food or drink, nor was he given toilet facilities. After the two days he was taken to Gulu army barracks, where an officer told him he should have sought permission from the army to hold the meeting. He was then taken to the police, where he was told he was going to be charged with trespassing. He was held there two more days before being released without charge.

During the first two days of his detention his family did not know where he was held. Only when he arrived at the police station did he manage to alert his family. Since his arrest he has had health problems: "I don't sleep. I only rest on bed, always, not asleep. Even up to now when it is quiet I can hear a sound from my ears. Even my neck is still not yet cured." The man has now filed a complaint with the police to protest his detention.²²

There have been also a number of reports of arrests in Rukungiri, Besigye's home area and stronghold in southwestern Uganda. Richard Bashaija, on of Besigye's campaign task force members, has been arrested twice during the election campaign, most recently on 23 February. He was also ambushed together with another campaigner for Besigye, Patricia Owembabazi. On 20 February, in Rutenga sub county, they were ambushed by four unidentified men who caned them and threw Richard Bashaija in a muddy pond. An observer said they were in a "sorry state" when they reached town.²³

On 13 February Lt. Bariiba Kafaka, the chief campaigner for Besigye in Rukungiri, was arrested by the PPU at a military road block. Lt. Kafaka was part of a group travelling back from Kabale to Rukungiri. Those who were in the cars were forced to get out and were beaten. Police were present at the road block. He was detained for two days and then released. Lt. Bariiba Kafaka had already been arrested once and accused of "abusing the president".²⁴

Assaults and Intimidation

Many people have reported attacks by unidentified assailants and intimidation upon supporters of different presidential candidates. In the majority of cases investigated by Human Rights Watch, the victims were supporting opposition candidates. According to a Besigye campaigner, campaign agents have been told that their business will be closed or they will be jailed when Museveni wins, and "people are fearing because these are high caliber officers".²⁵ An Awori campaigner said to Human Rights Watch "they have the power so we've got to fear."²⁶ However there have also been cases of assault and intimidation against Museveni supporters.

On nomination day, the chairman of a market in Kampala, who is also a member of the Museveni campaign task force, went around to tell people to go to Kololo, where the nomination ceremony took place. When a Besigye supporter refused, he was told, "it [participation] can be forced"²⁷.

According to testimony given to Human Rights Watch, on 12 January at around 8 p.m. in Natete, a suburb of Kampala, a member of the Besigye campaign task force and his driver were abducted. When driving in Natete, two cars blocked their way, and four men in plain-clothes men armed with two handguns attacked them. They were told that they should

tell Besigye's friends to stop funding and supporting the Besigye campaign. Their campaign material (copies of posters and manifestos) was burnt. They were blindfolded and taken to Mityana forest about sixty miles from Kampala. Then, they were dumped in the forest with their hands tied and left. Early in the morning one of them managed to loosen the rope and seek help.²⁸

Local government officials supporting opposition candidates have had difficulties in several cases. In mid-January a local government official (LC1) who supports Aggrey Awori's campaign in Busia district was reportedly threatened by a gunman. He said the man came to his house and threatened a relative with a gun, apparently mistaking the relative for him. The chairman reported this to the police. He said the gunman told another relative a few days later that he was still looking for the official, and that he is worried and is staying away from the office for the time being.²⁹

Also in Busia, two Awori campaigners were reportedly threatened in late February by a former Awori supporter who has since moved over to the Museveni camp. He said that people from the President's office were at his house and had a list of names of the Awori campaign task force.³⁰

Presidential candidate Chapaa Karuhanga told Human Rights Watch that he had received a threatening phone call on February 21, 2001, by someone who said "you must work with us, the Besigye campaign, to kill Museveni." Chapaa suspected this to be the work of a state agent and said that he did not believe the caller to be from the Besigye campaign." He took the number of the caller and gave it to security police. They played it down saying that it was a Museveni supporter and drunkard.³¹

In Rukungiri the LC 5, Mr. Rutaro told Human Rights Watch that his police escort was withdrawn a few weeks after he declared himself a Besigye supporter. He has also received threats he would be arrested. According to Rutaro, the Presidential Protection Unit, District Intelligence security forces as well as local authorities in favor of Museveni have been intimidating many people, in particular campaign agents for Kizza Besigye. He said, "Every day there is an incident" so that "I spent a lot of time at the police station and in court."³² While the PPU was officially withdrawn from Rukungiri in later January, another observer has stated that "if anything they have been reinforced" in the region.³³

Intimidation and assault has also been directed at Museveni supporters or perceived Museveni supporters. On 20 February, an angry crowd harassed a journalist at a Besigye rally who they took for a reporter of the government-owned *New Vision* newspaper.³⁴ On February 21, four Besigye supporters in Kampala when carrying Museveni posters with him attacked a man in his fifties. He was beaten and his shirt torn.³⁵ Campaigners on Kizza Besigye's task force have at times used threatening language. For example, MP Ken Lukyamuzi and Nasser Sebagala were reported in the opposition newspaper, the *Monitor*, to have called upon the population to kill foreigners with pangas (machetes) if they are caught voting.³⁶ In January, several Sebagala supporters were also reportedly briefly detained for rioting.³⁷

In addition to the election-related intimidation and attacks cited above, there have been attacks by unidentified assailants on opposition supporters and campaigners which might be related to the election, but which require further investigations to determine whether state agents were involved or not.

A Besigye campaign agent who sells fruit in a Kampala market told Human Rights Watch that on February 23, at around 5:30 p.m. three people visited him. He was away at the time but saw them from a distance when returning. He claims that he recognized one of them as member of the military intelligence. At 10:30 p.m. that night a pick-up truck came to his home with about six people in the back and others in the cabin. He became frightened, and fled to the police to report the incident. When he returned to his home later that night, his lock had been broken and his home

vandalized. Nothing had been removed.³⁸

A number of Besigye supporters have been injured when vehicles drove through crowds of supporters. On February 20 at 5:20 p.m., a mini-bus drove into a procession of Besigye supporters at Namunsi trading center in Mbale. The supporters were there to open a new campaign office³⁹. On February 4, a vehicle with government registration plates drove into a crowd of Col Besigye's supporters at Namanve, fourteen kilometers outside of Kampala. Three people were killed and eleven injured.

Two men died on the night of January 12, possibly in connection with their support for Besigye in Mbale district, eastern Uganda. According to testimonies collected by Human Rights Watch, several armed men who turned out to be members of the local defense unit came to the house of Hussein Namonye, a campaign agent for Kizza Besigye, in Mbale. When Namonye came out of the house, he took them for robbers, and tried to catch one of them, but was shot in the chest and wounded by another. After about twenty minutes the men came back with bricks and stoned Namonye to death. When an elder son tried to raise alarm, the attackers took him with them and brought him to the police station, accusing him of killing his father. But at the police station he found a friendly police officer who knew Namonye and was shocked to learn from the son that his father had been killed. The police officer reportedly arrested the local defense unit members as suspects, and the District Police Commander later reportedly expressed regret at having armed the local defence units with guns that same day. On the day of his death, Namonye had been putting up posters of Besigye in Mbale. The attackers reportedly did not take anything from the house.⁴⁰

On the same night, another Besigye campaign agent was killed in uncertain circumstances in Nakaloke, in Mbale district. Mohammed Kasubi had reportedly been putting up posters of Besigye during the day and then returned to Nakaloke. He was found unconscious the next morning, and was partly undressed. He died in hospital later that morning.⁴¹

V. THE MEDIA

In addition to the government-owned media that includes the *New Vision* newspaper, Radio Uganda, the largest broadcasting network, and Uganda Television, Uganda has a vocal and independent media. There are dozens of independent newspapers and magazines, which often express opinions highly critical of government policies and practices, including the movement system of the government.

In the lead-up to the election, harassment of journalists and news-editors and inequality of restricted media access for the opposition has intensified. While opposition candidates are barred by law from political party support, President Museveni has purchased a large number of promotional slots on radio, television, and in the print media. The full support of the Presidential Press Unit has helped the Museveni campaign to promote its image and to obtain wide coverage. There are dedicated crews of the Presidential Press Unit attached to President Museveni who travel with him and prepare the news footage. Their stories are given first priority in the newsroom since they come as "ready to air."

A lack of resources has become the excuse at Uganda TV for not providing coverage to opposition candidates. Opposition candidates complain that they are told to pay for the services and accommodation of cameramen and their equipment if they want coverage of their events. And even in cases where opposition candidates pay, it is no guarantee that the footage will air. In other cases, the opposition is outrightly denied access. Dr. Besigye was refused campaigning time on the private station Radio West which owned by a businessman with close ties to President Museveni.

Statistical breakdowns compiled by a local journalist show that President Museveni is receiving twice as much television and print media as Dr. Besigye, the strongest opposition candidate. Additionally, the media stories aired about President Museveni are largely positive. There has also been intimidation of journalists and editors to report positively on Museveni. News editors employed by the state complain they have been ordered not to publish negative reports of Museveni. Journalists at *New Vision* have said that stories critical of Museveni are regularly cut.⁴² In December 2000, four *New Vision* journalists were notified without explanation that their columns would be suspended until June 2001. Following complaints, the decision, which was believed to have been motivated by their critical reporting, was conditionally reversed by the Minister of Information after several weeks.⁴³ They were allowed to restart their columns on condition that these were vetted for political correctness prior to publication. One of the journalists rejected these conditions. The other three are writing again but the warning was clear: Be less critical of the government.⁴⁴

Journalists also fear they may fall victim to violence at the hands of fervent government-or opposition-supporters. For example, as noted, on February 20 at a Besigye rally in Kampala, a journalist from the independent paper, the *Monitor*, was almost attacked by a crowd who thought he worked for the government-owned *New Vision*. He was roughed up and forced to the ground by a crowd who threatened to hurt him, until Besigye task force members intervened on his behalf.⁴⁵ This climate makes it difficult for journalists to write freely and openly about the election.

In addition to the independent media being silenced, there is currently a bill pending before parliament, the "Nongovernmental Organizations (NGO) Registration Amendment." If passed, this law will introduce greater government oversight over independent NGOs including the principle of individual liability which will allow the government to prosecute and imprison individuals for the actions of an NGO, and will require institute registration and permit procedures for NGOs.

¹ "Riot police deployed in southwest to counter election violence," *New Vision*, January 31, 2001.

² Human Rights Watch interview with Eric Naigambi, deputy public relations officer, police headquarters, Kampala February 23, 2001.

³ "Summary on the Registration and Update Exercise," NGO Election Monitoring Group -Uganda (NEMGROUP-U), Kampala, Uganda. January 31, 2001.

⁴ The NRM has effectively excluded itself from regulation by characterizing itself not as a political party, but as a "movement," fusing its structures with those of the Ugandan state, and creating a pyramid of "movement" structures from village level to the national level. All Ugandans belong to the "movement," even those who oppose it. See Human Rights Watch, *Hostile to Democracy: The Movement System and Political Repression in Uganda*, (Human Rights Watch: NY, August 1999).

⁵ Letter by the Electoral Commission to President Museveni, "Violence and Intimidation of Candidates," February 24, 2001; Uganda Human Rights Commission, press release, "Condemning the Violence Related to Presidential Election Campaigns," February 20, 2001; Foundation for Human Rights Initiative, Interim Monitoring Report, February 26, 2001; and weekly reports by NEMGROUP, the election monitoring network under the auspices of the Uganda Joint Christian Council.

⁶ "Status Report as at February 6, 2001," NGO Election Monitoring Group - Uganda (NEMGROUP-U), Kampala, Uganda.

⁷ President Museveni appointed all members of the Electoral Commission. Six of the seven members are professed Movementists. The chair, Haji Aziz Kasujja, is an active member of the Movement and a member of the Constituent Assembly. Articles 60 and 61 of the Constitution set up the Electoral Commission and provide that it shall be independent and not be subject to the direction or control of any person or authority. The seven-person commission is appointed by the president on approval of parliament.

⁸ Ibid.

⁹ "Airport Scuffle: Hour by Hour Account," *Monitor*, February 21, 2001.

¹⁰ Human Rights Watch interview with Maj. Rabwoni Okwir, London, March 2, 2001.

¹¹ "Rabwoni 'Released', Quits Besigye Camp," *Monitor*, February 22, 2001.

¹² Human Rights Watch interview with the Chief of Military Intelligence, Lt. Col. Noble Mayombo, Kampala, February 28, 2001.

¹³ Human Rights Watch interview, Kampala, February 21, 2001.

¹⁴ Ibid.

¹⁵ Human Rights Watch interview with the Chief of Military Intelligence, Lt. Col. Noble Mayombo, Kampala, February 28, 2001.

¹⁶ "Soldiers Jailed for Holding Besigye Man," March 1, 2001

¹⁷ Human Rights Watch interview, Kampala, February 23, 2001.

¹⁸ For more on the system of local councils, see Human Rights Watch, *Hostile to Democracy. The Movement System and Political Repression in Uganda*, (Human Rights Watch. New York: August 1999), p.55.

¹⁹ Human Rights Watch interview, Kampala, February 24, 2001.

²⁰ Human Rights Watch interview, Kampala, February 24, 2001.

²¹ Human Rights Watch interview, Kampala, February 21, 2001.

²² Human Rights Watch interview, Kampala, February 21, 2001.

²³ Human Rights Watch interview, Kampala, February 24, 2001.

²⁴ Human Rights Watch interviews, Kampala, February 22 and February 24, 2001.

- ²⁵ Human Rights Watch interview, Kampala, February 21, 2001.
- ²⁶ Human Rights Watch interview, Kampala, February 24, 2001.
- ²⁷ Human Rights Watch interview, Kampala, February 24, 2001.
- ²⁸ Human Rights Watch interview, Kampala, February 21, 2001.
- ²⁹ Human Rights Watch interview, Kampala, February 24, 2001.
- ³⁰ Human Rights Watch interview with two Awori campaigners, Kampala, February 23, 2001.
- ³¹ Human Rights Watch interview with Chapaa Karuhanga, Kampala, February 22, 2001.
- ³² Human Rights Watch interview with LC 5 of Rukungiri, Mr Rutaroh, Kampala, February 24, 2001.
- ³³ Human Rights Watch interview, Kampala, February 21, 2001.
- ³⁴ Human Rights Watch interview, Kampala, February 24, 2001.
- ³⁵ Human Rights Watch interview, Kampala, February 25, 2001.
- ³⁶ *Monitor*, February 13, 2001.
- ³⁷ *Monitor*, February 10, 2001.
- ³⁸ Human Rights Watch interview, Kampala, February 25, 2001.
- ³⁹ "Besigye Fans in Car Crash," *New Vision*, February 21, 2001.
- ⁴⁰ Human Rights Watch interviews in Mbale/ Kampala, February 23 and 24, 2001.
- ⁴¹ Human Rights Watch interviews in Mbale/ Kampala, February 23 and 24, 2001.
- ⁴² Human Rights Watch interview with journalists, Kampala, February 24, 2001.
- ⁴³ The four journalists were John Kakande, Robert Kabushenga, Francis Guremi and Joacquim Buwembo. Human Rights Watch interview with journalist, Kampala, February 23, 2001.
- ⁴⁴ Human Rights Watch interview, Kampala, February 22, 2001.
- ⁴⁵ Human Rights Watch interview with journalists, Kampala, 24 February 2001.